Records and Data

207.1 PURPOSE AND SCOPE

This policy establishes guidelines for the control and access of records by staff, contractors, and volunteers.

207.2 ACCESS TO RECORDS

Access to confidential paper or electronically generated records in this facility is restricted at various locations according to job function and the need to know. Employees working in assigned areas will only have access to the information that is necessary for the performance of their duties. Granting access to other employees or anyone outside of the work area must meet with supervisory approval. All requests for information received from outside the Office shall be forwarded to the Chief Deputy of Corrections.

Custody staff, volunteers, and contractors shall not access, disclose, or permit the disclosure or use of such files, documents, reports, records, video or audio recordings, or other confidential information except as required in the performance of their official duties and in accordance with office policies, statutes, ordinances, and regulations related to data practices. Photographs and information concerning a person convicted of a sex offense as defined in RCW 9.94A.030 may be released as provided in RCW 4.24.550.

Custody staff, volunteers, and contractors who are uncertain of the confidentiality status of any document should consult with a supervisor or the Chief Deputy of Corrections to determine the status of the documents in question.

207.3 USE OF A CENTRAL COMPUTERIZED ENFORCEMENT SERVICE SYSTEM (ACCESS)

A Central Computerized Enforcement Service System (ACCESS) is a computer controlled communications system located at the WSP Information Technology Division. ACCESS provides service to all the state and national information systems. The Chief of the WSP is vested with the authority to administer all operating phases of ACCESS and WACIC. There are specific requirements for agencies accessing the information in the group of computers systems in ACCESS.

207.3.1 ACCESS USE REQUIREMENTS

No member of the Thurston County Sheriff's Office shall operate any of the ACCESS systems without first complying with the training requirements

207.3.2 ACCESS REQUIREMENTS

As an authorized ACCESS user, the Thurston County Sheriff's Office complies with all of the following ACCESS requirements:

1. Warrant Entry

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2. Receiving information from outside agencies
3. Recording information
4. Verifying information
5. Cancelling information
6. Providing 24 hour access to agency warrants

It is the responsibility of the Records Supervisor to ensure that all ACCESS computer and network security requirements are in place and operational.

207.4 STAFF TRAINING

Prior to being allowed to work inside this facility, all members and contractors will receive training on office records, policies, and confidentiality requirements, including the potential criminal and civil penalties that may result from a breach of confidentiality in violation of this policy and all applicable statutes (RCW 40.16.010 and RCW 40.16.020).

207.5 POLICY

Members of the Thurston County Sheriff's Office will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination and release of protected information.

207.6 CUSTODIAN OF RECORDS

The Sheriff shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

(a) Managing the records management system for the Office, including the retention, archiving, release, and destruction of office public records.

(b) Maintaining and updating the office records retention schedule, including:

1. Identifying the minimum length of time the Office must keep records.
2. Identifying the office bureau responsible for the original record.

(c) Establishing rules regarding the inspection and copying of office public records as reasonably necessary for the protection of such records.

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring the availability of a current schedule of fees for public records as allowed by law.

(g) Ensuring that the business hours for record inspection or copying are posted on the office's website and made known by other means designed to provide the public with notice (RCW 42.56.090).

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(h) Ensuring that the name and contact information of the Public Records Officer is visible to the public, including the office website and appropriate office publications (RCW 42.56.580).

207.7 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Prosecuting Attorney, Prosecuting Attorney, or the courts.

All questions regarding compliance with any subpoena or subpoena duces tecum should be promptly referred to legal counsel for the Office so that a timely response can be prepared.

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